

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

AMY CHILDERS, BARRY EARLS,
THOMAS FETSCH, CODY ITALIA,
DAVID KIEL, NAZAR MANSOOR,
DEBBIE RIDER, TRENT SHORES,
STEVE SCHUSSLER, CASSIE LIETAERT,
RYAN INGALLS, CHRIS JESSIE and
KAREN FLECKENSTEIN, individually
and, on behalf of a class of similarly situated
individuals,

Plaintiffs,

v.

MENARD, INC., a Delaware [sic] corporation,
and JOHN DOES 1-10,

Defendants.

Case No. 20 CV 107

Hon. James D. Peterson

MENARD INC.'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT

Pursuant to Fed.R.Civ.P. 12(b)(6) and 9(b), Defendant Menard, Inc.¹ respectfully moves this Court for an order dismissing Plaintiffs' claims in their entirety, with prejudice, and in support of this motion relies upon its Memorandum of Law, submitted herewith.

Dated: April 13, 2020

Respectfully submitted,

/s/ Brian P. Norton

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¹ The Complaint erroneously alleges that Menard, Inc. is a Delaware corporation. (Compl. ¶ 25.) Menard, Inc. is a Wisconsin corporation.